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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/806,619	03/23/2004	Jeffrey M. Zachan	19308.0022U1	2616

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EXAMINER

YUN, EUGENE

ART UNIT PAPER NUMBER

2618

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/806,619

Applicant(s)

ZACHAN ET AL.

Examiner

Eugene Yun

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                               | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                      | 5) <input type="checkbox"/> Notice of Informal Patent Application                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5, 9, 10, 18, and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Dolman et al. (US 6,396,345).

Referring to Claim 1, Dolman teaches a system for generating amplitude matched, phase shifted signals, comprising:

A filter arrangement including a plurality of nodes (see col. 12, lines 38-44), each node configured to provide an associated vector that is offset in phase from a vector associated with each other node (see col. 9, lines 31-44);

An adjustable element associated with each node, the adjustable element configured to substantially equalize an amplitude of each vector associated with each node (see col. 9, lines 11-30).

Referring to Claim 9, Dolman teaches a method for generating amplitude matched, phase shifted signals, comprising:

Providing a plurality of vectors, each vector associated with a node, each vector offset in phase from each other associated with each other node (see col. 9, lines 31-44); and

Adjusting each node to substantially equalize an amplitude of each vector associated with each node (see col. 9, lines 11-30).

Referring to Claim 18, Dolman teaches a system for generating amplitude matched, phase shifted signals, comprising:

Filter means including a plurality of nodes (see col. 12, lines 38-44), the filter means for providing a plurality of associated vectors that are offset in phase from each other vector associated with each other node (see col. 9, lines 31-44); and

Means for substantially equalizing an amplitude of each vector associated with each node (see col. 9, lines 11-30).

Referring to Claim 2, Dolman also teaches four nodes associated with the filter arrangement, each node having an associated vector (see fig. 5b).

Referring to Claim 3, Dolman also teaches an adder element configured to add the four vectors resulting in eight phase shifted vectors (see col. 9, lines 31-41).

Referring to Claim 4, Dolman also teaches a scaler configured to scale the amplitude of the four vectors resulting in eight amplitude matched phase shifted vectors (see col. 10, line 66 to col. 11, line 2).

Referring to Claim 5, Dolman also teaches the adjustable element as an adjustable resistance (see col. 13, lines 5-10).

Referring to Claim 10, Dolman also teaches a resistance associated with each node adjusted to substantially equalize an amplitude of each vector associated with each node (see col. 13, lines 5-10).

Referring to Claim 19, Dolman also teaches substantially equalizing an amplitude of each vector comprising adjustable resistance means (see col. 13, lines 5-10).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 24-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Andren et al. (US 4,485,358) in view of Dolman.

Referring to Claim 24, Andren teaches a system for generating amplitude matched, phase shifted signals, in a portable communication device, comprising:

A portable communication device including a transmitter and a receiver (see col. 1, lines 60-67);

A synthesizer for providing a local oscillator signal (see col. 8, lines 21-30); and

A filter arrangement configured to operate on the local oscillator signal (see col. 8, lines 31-40).

Andren does not teach the filter arrangement including a plurality of nodes, each node configured to provide an associated vector that is offset in phase from a vector associated with each other node. Dolman teaches the filter arrangement including a plurality of nodes (see col. 12, lines 38-44), each node configured to provide an

associated vector that is offset in phase from a vector associated with each other node (see col. 9, lines 31-44);

An adjustable element associated with each node, the adjustable element configured to substantially equalize an amplitude of each vector associated with each node (see col. 9, lines 11-30). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Dolman to said device to Andren in order to better reduce unwanted signal interference when operating with a plurality of nodes.

Referring to Claim 25, Dolman also teaches four nodes associated with the filter arrangement, each node having an associated vector (see fig. 5b).

Referring to Claim 26, Dolman also teaches an adder element configured to add the four vectors resulting in eight phase shifted vectors (see col. 9, lines 31-41).

Referring to Claim 27, Dolman also teaches a scaler configured to scale the amplitude of the four vectors resulting in eight amplitude matched phase shifted vectors (see col. 10, line 66 to col. 11, line 2).

Referring to Claim 28, Dolman also teaches the adjustable element as an adjustable resistance (see col. 13, lines 5-10).

5. Claims 6-8, 11-17, and 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dolman in view of Koenck et al. (US 5,912,926).

Referring to Claim 6, Dolman does not teach the adjustable resistance as a metal oxide semiconductor field effect transistor (MOSFET) adjustable resistance. Koenck

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teaches the adjustable resistance as a metal oxide semiconductor field effect transistor (MOSFET) adjustable resistance (see col. 16, lines 1-12). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Koenck to said device to Dolman in order to improve modulation sensitivity over a broader range of parameters.

Referring to Claim 7, Koenck also teaches the adjustable element as an adjustable capacitance (see col. 4, lines 41-52).

Referring to Claim 8, Koenck also teaches the adjustable capacitance as a varactor (see col. 1, lines 53-58).

Referring to Claim 11, Dolman does not teach a capacitance associated with each node adjusted to substantially equalize an amplitude of each vector associated with each node. Koenck teaches a capacitance associated with each node adjusted to substantially equalize an amplitude of each vector associated with each node (see col. 4, lines 41-52). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Koenck to said device to Dolman in order to improve modulation sensitivity over a broader range of parameters.

Referring to Claim 12, Koenck also teaches adjusting the resistance using a metal oxide semiconductor field effect transistor (MOSFET) adjustable resistance (see col. 16, lines 1-12).

Referring to Claim 13, Dolman also teaches combining four vectors associated with each of four nodes resulting in eight phase shifted vectors (see col. 9, lines 31-41).

Referring to Claim 14, Dolman also teaches scaling the four vectors resulting in eight amplitude matched phase shifted vectors (see col. 10, line 66 to col. 11, line 2).

Referring to Claim 15, Koenck also teaches adjusting the capacitance using a varactor (see col. 1, lines 53-58).

Referring to Claim 16, Dolman teaches combining four vectors associated with each of four nodes resulting in eight phase shifted vectors (see col. 9, lines 31-41).

Referring to Claim 17, Dolman also teaches scaling the four vectors resulting in eight amplitude matched phase shifted vectors (see col. 10, line 66 to col. 11, line 2).

Referring to Claim 20, Dolman does not teach substantially equalizing an amplitude of each vector comprising adjustable capacitance means. Koenck teaches substantially equalizing an amplitude of each vector comprising adjustable capacitance means (see col. 4, lines 41-52). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Koenck to said device to Dolman in order to improve modulation sensitivity over a broader range of parameters.

Referring to Claim 21, Koenck also teaches the adjustable resistance means comprising a metal oxide semiconductor field effect transistor (MOSFET) adjustable resistance (see col. 16, lines 1-12).

Referring to Claim 22, Dolman also teaches combining four vectors associated with each of four nodes resulting in eight phase shifted vectors (see col. 9, lines 31-41).



Referring to Claim 23, Dolman also teaches scaling the amplitude of the four vectors resulting in eight amplitude matched phase shifted vectors (see col. 10, line 66 to col. 11, line 2).

6. Claims 29-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dolman and Andren and further in view of Koenck.

Referring to Claim 29, Dolman does not teach the adjustable resistance as a metal oxide semiconductor field effect transistor (MOSFET) adjustable resistance. Koenck teaches the adjustable resistance as a metal oxide semiconductor field effect transistor (MOSFET) adjustable resistance (see col. 16, lines 1-12). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Koenck to said device to Dolman in order to improve modulation sensitivity over a broader range of parameters.

Referring to Claim 30, Koenck also teaches the adjustable element as an adjustable capacitance (see col. 4, lines 41-52).

Referring to Claim 31, Koenck also teaches the adjustable capacitance as a varactor (see col. 1, lines 53-58).


### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugene Yun whose telephone number is (571) 272-7860. The examiner can normally be reached on 9:00am-6:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on (571)272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Eugene Yun  
Examiner  
Art Unit 2618

EY

  
MATTHEW ANDERSON  
SUPERVISORY PATENT EXAMINER